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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re) Case No. 19-30088 (DM)
PG&E CORPORATION,) Chapter 11
and) (Lead Case)
PACIFIC GAS AND ELECTRIC) (Jointly Administered)
COMPANY,)

Debtors.

Affects:
☐ PG&E Corporation
☐ Pacific Gas & Electric Company
☒ Both Debtors

**DECLARATION OF GERALD SINGLETON
IN SUPPORT OF LIMITED OPPOSITION
TO MOTION OF DEBTORS PURSUANT
TO 11 U.S.C. §§ 363(b) AND 105(a) FOR
AUTHORITY TO CONTINUE
PERFORMANCE UNDER PREPETITION
SETTLEMENT AGREEMENT WITH
BUTTE COUNTY DISTRICT ATTORNEY'S
OFFICE TO FUND ENHANCED FIRE
PREVENTION AND COMMUNICATIONS
PROGRAM [ECF 770]**

Date: March 27, 2019
Time: 9:30 a.m. (Pacific)
Place: United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102

Opposition Deadline: March 20, 2019, 4 p.m.

1 I, Gerald Singleton, state and declare as follows:

2 1. I am an attorney duly licensed to practice law in the states of California and Texas, the
3 United States Supreme Court, the Ninth Circuit Court of Appeals, and all District Courts in the State
4 of California. I am the senior partner of the Singleton Law Firm, APC, counsel for the SLF Fire
5 Victim Claimants (“SLF Claimants”). I make this declaration in support of the SLF Claimants’
6 Limited Opposition to Motion of Debtors Pursuant to 11 U.S.C. §§ 363(B) and 105(A) for Authority
7 to Continue Performance under Prepetition Settlement Agreement with Butte County District
8 Attorney’s Office to Fund Enhanced Fire Prevention and Communications Program (“Opposition”).
9 All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the
10 Opposition. I have personal knowledge of the facts set forth in this declaration, and if called as a
11 witness, I could and would testify competently to those facts.

12 2. I am informed and believe that the majority of cases stemming from the 2015 Butte
13 Fire have been settled. Prior to PG&E filing bankruptcy in January 2019, PG&E was settling on
14 average of 40-60 cases per month with the Butte Fire victims. In December 2018 and January 2019,
15 PG&E agreed to settle approximately 52 cases on behalf of Butte Fire victims. This included 30
16 Butte Fire cases represented by Singleton Law Firm¹ in the combined amount of \$5,513,303, and 22
17 individual plaintiffs represented by the Corey/Danko firms² in the combined amount of \$3,960,000,
18 for an aggregate of \$9,473,303.00.³ These individuals who cases were settled during this period are
19 referred to herein as the “Settled-But-Not-Paid Fire Victims.” In each of these cases, PG&E and the
20 Settled-But-Not-Paid Fire Victims agreed to a specific settlement amount. PG&E then drafted the
21 settlement agreements, and the settlement agreements were signed by the Settled-But-Not-Paid Fire
22

23 ¹ The 30 SLF Claimants in this group are Suzette Baldwin; Malinda Bissell; Judy Brown; Steven Contreras;
24 Stephanie Dewey; Kurt Dunajski; Cari Duvall; Kimberly Hie-Kosta; Emilie Houle; Darren Johnson; Dean Kelaita; Karen
25 Klith; Douglas Lemos; Robert Lock; Randall Lorenzi; James Martin; James Marvin; Patrick Miller; David Newell;
26 Richard Moldovan; Brock Montgomery; Bryan Montgomery; Gerald Munson; Mark Peterson; Candace Rummerfield;
27 Ronnie L. Rummerfield, Sr.; Christian Siefert; Vera Pearson; and Christopher Wilson.

28 ² The names of the 22 Settled-But-Not-Paid Fire Victims represented by the Corey/Danko firms are set forth in their
Objection, Doc. No. 178. For the Court’s convenience, these names are: Dawnielle Burich, Philip Charvet, Diana
Eriksen, Stein Eriksen (and the two minor Eriksen children), Deborah Guyton, Nancy Kuchins, Carl Madeiros, Brian
Ottinger, Jack Rodgers, Thomas Rodgers, Jillian Sandbothe, Richard Segovia, Abril Shouse, William Shouse, Hilde
Solliday, Mark Wiebens, Nicole Wiebens, Peter Wiebens, Gerhard Ziemer, and Jerry Ziller.

³ The specific amount of each individual settlement is not set forth herein due to the confidential nature of the
mediation/settlement process; the total amount is being presented only because it is necessary for the Court to evaluate
claimants’ argument.

1 Victims and returned to PG&E. Thus, the Settled-But-Not-Paid Fire Victims complied with all of
2 their duties and obligations under the settlement agreements. PG&E could have paid the settlement
3 funds before filing bankruptcy, but it chose not to do so. It did, however, during that same time
4 period, choose to pay out millions of dollars in severance packages to departing executives on the eve
5 of bankruptcy, including \$2,500,000 to its former CEO, Geisha Williams, as a part of her severance
6 package. The few remaining victims of the Butte fire are likely the only unpaid tort victims whose
7 claims have been fully liquidated. They have been waiting for over 3 and 1/2 years, their lives forever
8 altered, many of them still homeless. They deserve to be paid *now* as much as Butte County does, if
9 not more.

10 3. I attended the section 341(a) meeting of creditors on March 4, 2019, at the Office of
11 the United States Trustee at 450 Golden Gate Avenue, Suite 01-5467, California-Nevada Room, San
12 Francisco, California. I was present at the 341(a) meeting and had the opportunity to personally
13 question the Debtor's Senior Vice President and Chief Financial Officer ("CFO") Jason Wells under
14 oath. CFO Wells testified that PG&E had obtained roughly \$920,000,000 in insurance proceeds from
15 its insurers in connection with the Butte fire.

16 4. The Debtor's most recent Form 10k SEC filing shows the amount of insurance
17 proceeds received from PG&E's insurers in connection with the Butte fire to be \$922,000,000. *See*
18 RFJN, Ex B. In addition, Mr. Wells testified at the 341(a) meeting that the Debtor also recovered an
19 additional \$75,000,000 in claim settlement payments from two of its contractors (or their insurers)
20 involved in the Butte fire. Mr. Wells further testified that PG&E had paid out approximately
21 \$800,000,000 in settlements to victims of the Butte fire, leaving a surplus of approximately
22 \$180,000,000. CFO Wells testified that some amount of this \$180,000,000 had been used to pay
23 legal fees and other expenses connected with the Butte Fire litigation, but he was not able to provide
24 an estimate as to exact amount. Mr. Wells further testified that on the petition date, the Debtor had
25 approximately \$240,000,000 in cash on hand.

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1 5. I declare under penalty of perjury under the laws of the United States of America that
2 the foregoing is true and correct. Executed on March 20, 2019, at San Diego, California.

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6 Gerald Singleton
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